

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

TOMMY GENE LIVELY,

Plaintiff,

versus

BOARD OF DIRECTORS, *et al.*,

Defendants.

CIVIL ACTION NO. 9:21-CV-26

ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Tommy Gene Lively, proceeding *pro se*, filed the above-styled lawsuit. The court previously referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending the case be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(b). To date, the parties have not filed objections.

The court has received the Report and Recommendation, along with the record, pleadings, and all available evidence. After careful review, the court finds that the findings of fact and conclusions of law of the magistrate judge are correct.

Accordingly, the Report and Recommendation of United States Magistrate Judge (#33) is **ADOPTED**. A final judgment shall be entered dismissing this lawsuit.

SIGNED at Beaumont, Texas, this 15th day of March, 2024.

Marcia A. Crone

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE